

## **REMARKS**

Claims 21-31, 34-35 and 38-44 were pending in the present application. Claim 31 has been cancelled. Claims 21, 26, 34, 40, and 43-45 have been amended. Thus, claims 21-30, 34-35 and 38-44 are now pending in the application.

Claim 34 is objected to because of informalities. The Applicant has amended claim 34 to overcome the Examiner's objection.

The Examiner has pointed out an error in the numbering of the claims submitted in the previous response by the Applicant. Specifically, claim 43 was erroneously labeled claim 42, which caused erroneous numbering of remaining claims 43-44. The Applicant notes that in the current listing of claims, above, the erroneous claim numbering has been corrected.

Claims 21-22, 24-27, 29-31, 34-35, 38-42, and 44-45 stand rejected under 35 U.S.C. 102(e) as being anticipated by Manczak et al. (U.S. Patent Application No. 2002/0161855) (hereinafter 'Manczak'). The Applicant respectfully traverses these rejections.

Claims 23, 28, and 43 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Manczak in view of Sandstrom et al. (U.S. Patent No. 6,629,189) (hereinafter 'Sandstrom'). The Applicant respectfully traverses these rejections.

The Applicant's claim 21 recites a data storage system comprising in pertinent part

“a computing node coupled to said first volume and said second volume, wherein said computing node includes a file system for identifying a first file stored on said first volume and a second file stored on said second volume;  
wherein said file system includes a directory structure having a directory which includes a first entry corresponding to said first file and a second entry corresponding to said second file;

wherein in response to a request by a client to access said first file, said computing node provides metadata corresponding to said first file to said client; and  
wherein said client uses said metadata corresponding to said first file to perform a subsequent access to said first file." (Emphasis added)

Manczak discloses at page 4, par [0035]

"When the original client, or another client, attempts to access this stored data at a subsequent time, the command to access the data is routed from the client's application (e.g., NFS 302 or CIFS 304) through load balancing node 310 to a gateway service node 312. This gateway service node does not have to be the same node as was used to store the data originally. The command to access the data is then routed from Gateway Service node 312 (e.g., Gateway Service node 312b) through internal network 314 to Metadata Server 316 (e.g. 316a). Metadata Server 316 obtains the metadata for the requested data from disk 318 (e.g. 318a) and directs the request for the data to the appropriate Bitfile Storage Server 324 and corresponding disk 326 (e.g., Bitfile Storage Server 324a and disk 326a)." (Emphasis added)

From the foregoing, it appears that in Manczak, the Metadata Server 316 (and not the client) causes subsequent accesses to the data to be accessed in response to a client request. The Applicant submits, Manczak does not teach "wherein in response to a request by a client to access said first file, said computing node provides metadata corresponding to said first file to said client" or "wherein said client uses said metadata corresponding to said first file to perform a subsequent access to said first file," as recited in the Applicant's claim 21. (Emphasis added)

Accordingly, the Applicant believes that claim 21, along with its dependent claims, patentably distinguishes over Manczak and over Manczak in view of Sandstrom.

Claim 26 recites amthod comprising in pertinent part

"providing said metadata corresponding to said first file to a client in response to a request by said client to access said first file; and said client using said metadata corresponding to said first file to perform a subsequent access to said first file." (Emphasis added)

Manczak does not teach these features. Thus, claim 26, along with its dependent claims, is believed to patentably distinguish over Manczak and over Manczak in view of Sandstrom for at least the reasons given above.

Claim 40 recites features similar to those recited in claim 26. Thus claim 40, along with its dependent claims, is believed to patentably distinguish over Manczak and over Manczak in view of Sandstrom for at least the reasons given above.

**CONCLUSION**

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5181-59200/BNK.

Respectfully submitted,

  
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